IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

WEDNESDAY, THE 3RD JANUARY 2007 / 13TH POUSHA 1928

Tr.P(C).No. 4 of 2007()

OP.869/2006 of FAMILY COURT, KOTTAYAM

.....

PETITIONER:

S.P.RAJENDRAN, AGED 39NYEARS, S/O.SOMASEKHARAN,
KIZHAKKATHATTU PUTHEN VEETTIL HOUSE,
PERUMKADAVILAKARA, NEYYATTINKARA VILLAGE,
THIRUVANANTHAPURAM.

BY ADV. SRI.S.SUDHISH KUMAR
SRI.K.B.DAYAL

RESPONDENT:

KARUNA SINDHU @ AMBILY, AGED 34 YEARS,
D/O.VIJAYAMMA, CHIRAYILPEEDIKA, MANIYAMPARAMBIL HOUSE,
KUMARAKAM.P.O., KOTTAYAM DISTRICT.

BY //

THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON I.A.NO.16/07 IN Tr.P.C.4/07

DISMISSED

3/1/2007

SD/-M.SASIDHARAN NAMBIAR,JUDGE.

//True copy//

SHW to Judge.

M.SASIDHARAN NAMBIAR,J.

Tr.P.(C) .NO.4 OF 2007

Dated 3rd January 2007

O R D E R

Petitioner is the husband. Respondent is the wife. Respondent filed O.P.291/2000 before Family court, Kottayam seeking divorce. Petitioner filed O.P.447/2000 for restitution of conjugal rights. Subsequently there was a settlement between the parties and O.P.738/05 was filed under Section 13(B) of Hindu Marriage Act for divorce. It is pending before the Family court, Kottayam. This petition is filed to transfer the case to Family court, Thiruvananthapuram contending that respondent is an advocate practising at Kottayam and in the joint petition filed for divorce a clause was inserted without the consent of petitioner with regard to the property purchased by him from the mother of the respondent and petitioner was not willing to agree with that clause and when he appeared before the Family court he was threatened by the respondent and her brothers and therefore case is to be transfered.

2. On hearing the learned counsel appearing for petitioner, I do not find any sufficient reason to order transfer as sought for. If apprehension of petitioner is about the threat, petitioner is at liberty to file a petition before the Family court, Kottayam for appropriate protection for him to appear before that court. If such an application is filed, Family court to pass appropriate order. Petitioner is also at liberty to approach the police for sufficient protection.

Petition dismissed.

M.SASIDHARAN NAMBIAR,
JUDGE.

uj.